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EXECUTIVE SECRETARIAT
ROUTING SLIP

TO:

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1	DCI		X		
2	DDCI		X		
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4	D/ICS		X		
5	DDI		X		
6	DDA		X		
7	DDO		X		
8	DDS&T		X		
9	Chm/NIC		X		
10	GC				
11	IG				
12	Compt				
13	D/OLL				
14	D/PAO		X		
15	D/PERS				
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17	D/CCISCS	X			
18	C/UDAC		X		
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Remarks

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H/ Executive Secretary
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POLICY

THE UNDER SECRETARY OF DEFENSE

WASHINGTON, D. C. 20301-2000

Executive Registry
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In reply refer to:
I-86/17807

Honorable William J. Casey
Director of Central Intelligence
Washington, D.C. 20505

Dear Mr. Casey:

This is in response to your letter of 29 October 1986 concerning press contacts in the Department of Defense, our experience in controlling sensitive information, and the success we have had in placing more emphasis on classifying only that information which needs to be classified.

The rules governing release of DoD information to the public, including, of course, to the press are set forth in DoD Directive 5230.9, "Clearance of DoD Information for Public Release." The essence of this Directive requires that public release of DoD information be approved by the Office of the Assistant Secretary of Defense (Public Affairs) or one of its DoD Component equivalents.

As you know, we have done a lot of work to control sensitive information that is not classified, notwithstanding some legitimate criticism of the speed with which that work is being implemented on a DoD-wide basis. I view our principal effort in this area as being DoD Directive 5230.25, "Withholding of Unclassified Technical Data From Public Disclosure." This Directive implements 10 U.S.C. 140c, as added by section 1217 of P.L. 98-94 (the FY 1984 DoD Authorization Act).

Briefly, this law states that the Secretary of Defense may withhold from public disclosure, notwithstanding other provisions of law, any technical data with military or space application in the possession of, or under the control of, the Department of Defense, if such data may not be exported lawfully without an approval, authorization, or license under the export control laws, and provided further that the data are not subject to a general, unrestricted license or exemption in the Export Administration Regulations or International Traffic in Arms Regulations. We added one further test; the data also must be related to a militarily critical technology before they will be controlled under the Directive. DoD Directive 5230.25 has two major features: it provides for the withholding of DoD technical data that meet these conditions and for the provision of such data to requesters with legitimate requirements who have agreed in writing to keep the data out of the public domain.

A number of other DoD issuances are relevant to controlling sensitive but unclassified information. For example, in a specialized area of electronics, we have issued DoD Instruction 5230.26, "Very High Speed Integrated Circuits (VHSIC) Technology Security Program." This DoD Instruction covers the unclassified aspects of the VHSIC program and basically requires that involved contractors agree, through contracts that are being modified, to specified safeguards for both VHSIC information and devices.

At the present time we are beginning the operations of the Defense Technical Information Center's (DTIC) Technology Screening Board. This Board was created to review technical DoD documentation determined by originators to be releasable to the public before it is forwarded to the Commerce Department's National Technical Information Service (NTIS). Placing this screening device in the DTIC/NTIS pipeline will enable us to take a second look at what we are placing on the world-wide market served by NTIS. I anticipate significantly less DoD information that is purely military in nature being provided to our adversaries as a result.

With respect to your last area of interest, that is, success that I have had in placing more emphasis on classifying only that information which needs to be classified, Deputy Secretary of Defense Taft issued a memorandum on 22 May 1986 regarding "Initial Classification of Information." It addresses the consequences of overclassification, exhorts original classification authorities to avoid overclassification, and directs that these officials be indoctrinated in the responsibilities of security classification as a prerequisite to the exercise of such authority. As evidenced by this latest memorandum which was issued at my request, we have top-level support for a better Information Security Program.

I trust that the foregoing will be useful. Please let me know if you need further information.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Alderman, Jr.", written in a cursive style.

Craig Alderman, Jr.
Deputy